

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

ELIZABETH-ANNE ROHR

§

V.

§

§

OFFICER RODRIGUEZ, ET AL.

§

§

CASE NO. 4:06CV99  
(Judge Schneider/Judge Bush)


**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On July 20, 2006, the Magistrate Judge entered a Report containing his proposed findings of fact and recommendation that the Defendants' 12(b)(6) Motion to Dismiss and Motion to Dismiss for Want of Prosecution be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

**ORDERED, ADJUDGED and DECREED** that the Defendants' 12(b)(6) Motion to Dismiss and Motion to Dismiss for Want of Prosecution are **GRANTED** and the above titled and numbered cause of action is hereby **DISMISSED WITH PREJUDICE**.

**SIGNED this 25th day of August, 2006.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE